

## RESOLUTION NO. A-\_\_\_\_\_

## SPECIAL PERMIT NO. 622E

1 WHEREAS, Lakeside Partners, L.L.C. has submitted an application  
2 designated as Special Permit No. 622E for authority to amend the Lakeside Village  
3 Community Unit Plan to increase the maximum allowable height from 35 feet to 36.5 feet  
4 in order to allow nine-foot ceilings on the third floor of the apartment buildings on property  
5 generally located at West "S" Street and Lakeside Drive, and legally described to wit:

6 Lots 1, 2, Outlot B, Lakeside Village Addition, and a portion of  
7 the vacated "S" Street, located in Section 21, Township 10  
8 North, Range 6 East of the 6th P.M., Lancaster County,  
9 Nebraska;

10 WHEREAS, the real property adjacent to the area included within the site  
11 plan for this amended community unit plan will not be adversely affected; and

12 WHEREAS, said site plan together with the terms and conditions hereinafter  
13 set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal  
14 Code to promote the public health, safety, and general welfare.

15 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of  
16 Lincoln, Nebraska:

17 That the application of Lakeside Partners, L.L.C., hereinafter referred to as  
18 "Permittee", to amend the Lakeside Village Community Unit Plan to increase the maximum  
19 allowable height from 35 feet to 36.5 feet in order to allow nine-foot ceilings on the third  
20 floor of the apartment buildings, on the property legally described above, be and the same  
21 is hereby granted under the provisions of Section 27.63.320 and Chapter 27.65 of the

Lincoln Municipal Code upon condition that construction and operation of said community unit plan be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves a maximum height of 36.5 feet for apartment buildings in the Lakeside Village Community Unit Plan.

2. Before receiving building permits:

a. The Permittee shall submit a revised and reproducible final plan including five copies.

b. The construction plans must conform to the approved plans.

c. Final plats within this community unit plan must be approved by the City.

3. Before occupying the dwelling units, all development and construction must be completed in conformance with the approved plans.

4. All privately-owned improvements must be permanently maintained by the Permittee or an appropriately established homeowners association approved by the City Attorney.

5. The site plan approved by this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.

6. The terms, conditions, and requirements of this resolution shall be binding and obligatory upon the Permittee, its successors, and assigns. The building official shall report violations to the City Council which may revoke the special permit or take such other action as may be necessary to gain compliance.

1                   7.     The Permittee shall sign and return the City's letter of acceptance to  
2 the City Clerk within 30 days following approval of the special permit, provided, however,  
3 said 30-day period may be extended up to six months by administrative amendment. The  
4 City Clerk shall file a copy of the resolution approving the special permit and the letter of  
5 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the  
6 Permittee.

7                   8.     The site plan as approved with this resolution voids and supersedes  
8 all previously approved site plans, however all resolutions approving previous permits  
9 remain in force unless specifically amended by this resolution.

Introduced by:

\_\_\_\_\_

Approved as to Form & Legality:

\_\_\_\_\_  
City Attorney

Staff Review Completed:

\_\_\_\_\_  
Administrative Assistant

Approved this \_\_\_\_ day of \_\_\_\_\_, 2002:

\_\_\_\_\_  
Mayor